

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
IN CLERK'S OFFICE

UNITED STATES OF AMERICA,)	
)	Criminal No. 04-10194-RCL
Appellee,)	
)	Appellate No. 06-2476
v.)	U.S. DISTRICT COURT
)	DISTRICT OF MASS.
ANTHONY BUCCI,)	
)	
Defendant-Appellant.)	

**NOTICE OF MOTION FOR AN ORDER GRANTING LEAVE
TO SUPPLEMENT THE RECORD ON APPEAL**

Defendant-Appellant, Anthony Bucci, pro se in the above entitled-action, hereby moves for an Order granting leave to supplement the record on appeal. Defendant-Appellant has recently received the accompanying exhibits annexed, of which were not readily available until most recently. The exhibit is a significant and material piece of evidence the Defendant-Appellant has just received after a thorough search of district court records.

In further support thereof, Defendant-Appellant further states the following:

1. The Defendant-Appellant's direct appeal from the judgment and conviction is currently pending before the United States Court of Appeals for the First Circuit. The Appellee has yet to file it's Brief in Response to the initial brief of Defendant-Appellant.

2. The annexed documents are a sworn affidavit filed by Attorney Michael J. Liston on behalf of Jon Minotti, in criminal

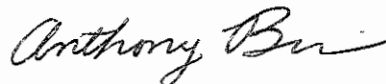
case no. 04-10325-GAO. This affidavit was filed on July 11th, 2006 before Jon Minotti's sentencing. The Presiding Honorable O'Toole ruled that he would not seal this document. AUSA John McNeil told the court at sentencing, he would disclose this to Minotti's co-defendant's, the undersigned. However, these documents were never revealed. Only by chance, the Defendant-Appellant was reviewing the sentencing minutes of Mr. Minotti, and discovered that these documents were filed at Minotti's sentencing. This document goes to the very heart of Defendant-Appellant's 18 U.S.C. § 924(c) conviction and sentence, of which, he maintains his innocence.

The accompanying exhibits were delivered by the district court clerk.

WHEREFORE the above stated reasons, the Defendant-Appellant prays this Court cause a copy of the attached document to be filed as part of the appellate record, and that the First Circuit Court of Appeals be notified and provided with a copy of the same.

Dated: November 14, 2007.

Respectfully Submitted,



ANTHONY BUCCI, pro se
Reg. No. 21416-038
FCI-Loretto
P.O. Box 1000
Loretto, PA 15940-1000

CERTIFICATE OF SERVICE

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that on November 14, 2007, a true and correct copy of the following:

**MOTION FOR AN ORDER GRANTING LEAVE TO SUPPLEMENT
THE RECORD ON APPEAL**


was served upon:

Robert L. Sheketoff, Esq.
One McKinley Square
Boston, MA 02109

AUSA S. Theodore Merritt
U.S. Attorney's Office
1 Courthouse Way
Boston, MA 02210

Using first-class U.S. Mail with proper postage affixed and deposited into the official legal mail depository maintained and exclusively controlled for the U.S. Postal Service by federal prison officials of FCI-Loretto, Pennsylvania.

Executed on November 14, 2007.


ANTHONY BUCCI, pro
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